

Guide for Review of National Objective of Low- and Moderate-Income Job Creation/Retention Activities			
Name of Program Participant:			
Staff Consulted:			
Activity Name, Number and Brief Description:			
Name(s) of Reviewer(s)		Date	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. **Except for questions “4.b,” “8.b,” and “9,”** all other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding.**"

Instructions: Use this Exhibit for activities the program participant has classified as meeting the national objective of low- and moderate-income job creation/retention activities. The Exhibit is broken into ten sections. The reviewer may complete only those sections applicable to the subject activity as follows: Job Creation: Funding Start Date; Job Creation: Held By; Job Creation: Activity Incomplete; Job Creation: Completed Activity; Job Creation: Made Available To; Job Retention; If Two or More Years Have Elapsed Since the Provision of CDBG Assistance for Retained Jobs; If Less than Two Years Have Elapsed Since the Provision of CDBG Assistance for Retained Jobs; Report Validation; and Pre-1995 Public Benefit Standard Activities. One Exhibit is to be completed for each business that is reviewed **except** for an activity that involves job aggregation. If the jobs are to be counted in the aggregate, the provisions at 24 CFR 570.208(a)(4)(vi)(A) through (F) will apply. The reviewer is requested to refer to the paragraph that corresponds to the activity(s) undertaken, count the jobs accordingly, and make a determination of compliance. (Attach a separate sheet, if needed.) Also see Exhibit 3-12, Guide for Review of Individual Economic Development Activities, Section B.

Questions

A. JOB CREATION: FUNDING START DATE

1.

What is the date (MM/DD/YY) when the CDBG assistance was first obligated for this activity?
Describe Basis for Conclusion:

B. JOB CREATION: HELD BY

2.

a. If the assisted activity is to meet the national objective based on jobs being held by low- and moderate-income persons, is there a written agreement between the program participant and the assisted business that commits the business to have at least 51% of the jobs, on a full-time equivalent basis, to be held by low- and moderate-income persons? [24 CFR 570.506(b)(5)(ii)(A)(1)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
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Describe Basis for Conclusion:

b. Does the agreement contain a listing by job title of the permanent jobs to be created, identifying which are part-time, if any? [24 CFR 570.506(b)(5)(ii)(A)(2)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
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Describe Basis for Conclusion:

c. Does the program participant have a method or system for tracking the business's progress in meeting its responsibilities under the agreement?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
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Describe Basis for Conclusion:

d. If the activity includes part-time jobs, were they computed on a full-time equivalent (FTE) basis using 40 hours as an FTE (e.g., a 20 hour per week job equals 1/2 of a job)? [24 CFR 570.208(a)(4) and 24 CFR 570.506(b)(5)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
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Describe Basis for Conclusion:

e. If this activity includes temporary jobs, were they excluded from the job figures? [24 CFR 570.208(a)(4) and 24 CFR 570.506(b)(5)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

f. If the answers to either "2.d." or "2.e." are "no," calculate the correct number of jobs for this assisted activity, converting the part-time jobs to a full-time equivalent basis and/or omitting all temporary jobs.
Describe Basis for Conclusion:

C. JOB CREATION: ACTIVITY INCOMPLETE

(Note: If this activity is not yet complete, end review with question 3. If it is complete, skip to Section D. "Complete" means that all CDBG funds have been expended and the jobs to be created/retained as a result of the assistance have been realized.)

3.

a. If the activity is not complete (more jobs are expected to be created), what is the anticipated completion date?
Describe Basis for Conclusion:

b. Does it appear that the low- and moderate-income jobs commitment will be met?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

D. JOB CREATION: COMPLETED ACTIVITY

4.

- a. If the activity is considered completed (i.e., all financial commitments have been expended and no additional jobs are expected to result from the CDBG- assisted activity), how many permanent FTE jobs were actually created?

Describe Basis for Conclusion:

- b. Were at least 51 percent of the permanent jobs created initially held by low- and moderate-income persons on a FTE basis? (**Note:** if the assisted activity can be shown to meet the “made available to” requirement in questions at 8.b. or 9. below, a finding **cannot** be made for this question.)
[24 CFR 570.208(a)(4)]

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No	N/A

Describe Basis for Conclusion:

5.

- a. Is there documentation showing a listing by job title of the permanent jobs filled and which jobs were initially held by low- and moderate-income persons?
[24 CFR 570.506(b)(5)(ii)(B)]

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No	N/A

Describe Basis for Conclusion:

- b. Is there documentation showing for each low- and moderate-income person hired the size and annual income of the person’s family prior to the person being hired for the job **OR** is there documentation showing a presumed benefit was used, based on the census tract where the person resides or the business is located per 24 CFR 570.208(a)(4)(iv)(A) and/or (B)?
[24 CFR 570.506(b)(5)(ii)(C) or 24 CFR 570.506(b)(7)]

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No	N/A

Describe Basis for Conclusion:

<p>c. Were the correct Section 8 income limits for family size and income used at the time the low- and moderate-income person applied and/or was hired for the job OR was the person presumed to be low and moderate income based on the census tract criteria set forth at 24 CFR 570.208(a)(4)(v), as applicable? [24 CFR 570.3 or 24 CFR 570.506(b)(1) and (7)]</p>	<table> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

E. JOB CREATION: TO BE MADE AVAILABLE TO LOW/MOD PERSONS (Note: If this option is not applicable, skip to Section F.)

6.

<p>a. If the assisted activity is to meet the national objective based on jobs being made “available to” low- and moderate-income persons, is there a written agreement between the program participant (or subrecipient) and the business that contains a commitment that the business will make at least 51 percent of the jobs available to low- and moderate-income persons and will provide training for any jobs requiring special skills and education? [24 CFR 570.506(b)(5)(i)(A)(1)]</p>	<table> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

<p>b. Does the written agreement contain:</p> <ul style="list-style-type: none"> • a listing by job title of the permanent jobs to be created; • which jobs (if any) are part-time; • which jobs will be made available to low- and moderate-income persons; and • which of those jobs require special skills or education? <p>[24 CFR 570.506(b)(5)(i)(A)(2)]</p>	<table> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

c. Does the written agreement contain a commitment by the business and a description of the actions to be taken by the recipient and the business to ensure that first consideration will be given to low- and moderate-income persons? [24 CFR 570.506(b)(5)(i)(A)(1) and (3)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Describe Basis for Conclusion:

d. How does the program participant track the business's progress in meeting its contractual responsibilities?
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Describe Basis for Conclusion:

7.

a. Is there documentation that lists, by job title, the number of full-time-equivalent permanent jobs filled, and which of those jobs were made available to low-and moderate-income persons? [24 CFR 570.506(b)(5)(i)(B)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Describe Basis for Conclusion:

b. Is there documentation showing how first consideration was given to low- and moderate-income persons for these jobs? [24 CFR 570.506(b)(5)(i)(B)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Describe Basis for Conclusion:

<p>c. If the answer to “b” above is “yes,” does the documentation include:</p> <ul style="list-style-type: none"> • what hiring process was used; • which low- and moderate-income persons were interviewed for a particular job; and • which low- and moderate-income persons were hired? <p>[24 CFR 570.506(b)(5)(i)(B)]</p>	<table> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

8.

<p>a. Of the total number of jobs filled, how many jobs were made available to low- and moderate-income persons?</p>
<p>Describe Basis for Conclusion:</p>

<p>b. Were at least 51 percent of the jobs made available to low-and moderate-income persons? (Note: If the assisted activity is complete and did not meet the “held by” or “made available to” requirements in question “4.b.” and this question, the reviewer must determine whether the completed activity can meet the national objective based on a combination of the “held by” and made available to” requirements per question “9” below. If the answer to question “9” is “yes,” a finding cannot be made for this question.)</p> <p>[24 CFR 570.208(a)(4)(i)]</p>	<table> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

<p>c. Is there documentation showing, for each low- and moderate-income person hired, the size and annual income of the person’s family prior to the job being made available to the person OR is there documentation showing a presumed benefit was used, based on the census tract where the person resides or the business is located per 24 CFR 570.208(a)(4)(iv)(A) and/or (B)?</p> <p>[24 CFR 570.506(b)(5)(ii)(C) or 24 CFR 570.506(b)(7)]</p>	<table> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

<p>d. Were the correct Section 8 income limits for family size and income used at the time the low- and moderate-income person applied and/or was hired for the job OR was the person presumed to be low and moderate income based on the census tract criteria set forth at 24 CFR 570.208(a)(4)(v), as applicable? [24 CFR 570.3 or 24 CFR 570.506(b)(1) and (7)]</p>	<table> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

9.

<p>Describe how the low- and moderate-income income status of an employee or applicant was determined or how the location of the employee or applicant or business was verified and documented. [24 CFR 570.3, 24 CFR 570.208(a)(4), 24 CFR 570.506(b)(5), or 24 CFR 570.506(b)(7)]</p>
<p>Describe Basis for Conclusion:</p>

F. JOB CREATION: COMBINING “HELD BY” AND “AVAILABLE TO”

10.

<p>If the activity is completed (no more jobs are expected to be created) and the 51 percent threshold was not met for either jobs held by, or made available to, low- and moderate-income persons, can the threshold be met by combining the number of jobs held by and made available to low- and moderate-income persons (taking care not to double count the jobs) on a permanent FTE basis in order to meet the national objective? [24 CFR 570.208(a)(4) and 24 CFR 570.506(b)(5)]</p>	<table> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

G. JOB RETENTION (Note: If this option is not applicable, skip to Section I.)

11.

Did the program participant qualify the assisted activity on the basis of job retention?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

12.

Provide the month and year that the CDBG assistance was first provided to this activity.
Describe Basis for Conclusion:

13.

a. What evidence does the business have to show that jobs would have been lost without the CDBG assistance?
Describe Basis for Conclusion:

b. Does this evidence clearly and objectively show that jobs would have been lost without CDBG assistance? [24 CFR 570.208(a)(4)(ii) and 24 CFR 570.506(b)(6)(i)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

14.

How many FTE permanent jobs were retained?
Describe Basis for Conclusion:

15.

a. Is there documentation for each assisted business that lists the job title of the permanent jobs retained (including which jobs are part-time) and which jobs are held by low- and moderate-income persons (where it is known) at the time CDBG assistance was provided? [24 CFR 570.506(b)(6)(ii)]	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion:	

b. Is there documentation as to which of the retained jobs are projected to become available to low- and moderate-income persons through job turnover within two years of the CDBG assistance being provided? [24 CFR 570.506(b)(6)(ii)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Describe Basis for Conclusion:	

c. What is the basis for the job turnover projections? [24 CFR 570.506(b)(6)(ii)]
Describe Basis for Conclusion:

16.

a. Where jobs will be filled through job turnover, is there documentation that lists, by job title: <ul style="list-style-type: none"> <input type="checkbox"/> the permanent jobs; <input type="checkbox"/> which jobs, if any, were part-time; <input type="checkbox"/> which jobs required special skills or education; and <input type="checkbox"/> which of those jobs were made available to low-and moderate-income persons? NOTE: If the business is not using job turnover to qualify the activity, skip to question 17. [24 CFR 570.506(b)(6)(iv)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Describe Basis for Conclusion:	

<p>b. Where jobs will be filled through job turnover, is there documentation of how first consideration was given to low- and moderate-income persons that includes:</p> <ul style="list-style-type: none"> <input type="checkbox"/> what hiring process was used; <input type="checkbox"/> which low- and moderate-income persons were interviewed for a particular job; and <input type="checkbox"/> which low- and moderate-income persons were hired? <p>[24 CFR 570.506(b)(6)(iv)]</p>	<table border="1"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

<p>c. Is there documentation, where jobs were filled through job turnover, that lists:</p> <ul style="list-style-type: none"> <input type="checkbox"/> each job <i>turned over</i> as of the date of this monitoring; <input type="checkbox"/> how first consideration was given to low- and moderate-income persons; and <input type="checkbox"/> which of those jobs were either taken by, or made available to, low- and moderate-income persons? <p>[24 CFR 570.506(b)(6)(v)]</p>	<table border="1"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

17.

<p>a. Of the jobs retained per question 14, were at least 51 percent held by low- and moderate-income persons on a permanent FTE basis at the time the CDBG assistance was first provided? (Include percentage in "Basis for Conclusion" below.)</p> <p>[24 CFR 570.208(a)(4)(ii)]</p>	<table border="1"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

<p>b. Is there documentation showing, for each low- and moderate-income job retained, the size and annual income of the person's family at the time the job was proposed to be retained?</p> <p>[24 CFR 570.506(b)(6)(iii) or 24 CFR 570.506(b)(7)]</p>	<table border="1"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

c. If the answer to “b” above is “no” or “N/A,” is there documentation showing a presumed benefit was used, based on the census tract where the person resides or where the business is located? [24 CFR 570.208(a)(4)(iv)(A) and/or (B)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Describe Basis for Conclusion:	

d. Were the correct Section 8 income limits for family size and income used at the time the CDBG assistance was first provided OR is there documentation showing the person may be presumed to be low and moderate income based on the census tract criteria set forth at 24 CFR 570.208(a)(4)(v), as applicable? [24 CFR 570.3 or 24 CFR 570.506(b) and (7)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Describe Basis for Conclusion:	

H. IF TWO OR MORE YEARS HAVE ELAPSED SINCE THE PROVISION OF CDBG ASSISTANCE FOR RETAINED JOBS

18.

a. How many retained jobs have turned over?
Describe Basis for Conclusion:
b. Of the jobs listed in “a” above, were steps taken, per the written agreement, to ensure they were made available to low- and moderate-income persons on a permanent FTE basis during the two-year period? (Exclude those jobs held by low- and moderate-income persons when the CDBG assistance was first provided, as shown in question “17.a.” above.) [24 CFR 570.506(b)(6)(ii)]
Describe Basis for Conclusion:

c. Was the 51 percent requirement met? [24 CFR 570.208(a)(4)(ii)(A) and (B) and 24 CFR 570.506(b)(6)(ii)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

d. Is there documentation showing, for each low- and moderate-income person retained, the size and annual income of the person's family prior to the person being hired for the job OR is there documentation showing a presumed benefit was used, based on the census tract where the person resides or the business is located per 24 CFR 570.208(a)(4)(iv)(A) and/or (B)? [24 CFR 570.506(b)(6)(iii) or 24 CFR 570.506(b)(1) or (7)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

e. Were the correct Section 8 income limits for the family applied at the time the low- and moderate-income person was retained OR was the person presumed to be low and moderate income based on the census tract criteria set forth at 24 CFR 570.208(a)(4)(v), as applicable? [24 CFR 570.3 or 24 CFR 570.506(b)(7)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

I. IF LESS THAN TWO YEARS HAVE ELAPSED SINCE THE PROVISION OF CDBG ASSISTANCE FOR RETAINED JOBS

19.

a. How many of the retained jobs (excluding those known to be held by low- and moderate-income persons at the time CDBG assistance was first provided, as shown in question "17.a.") are projected to become available to low- and moderate-income persons through job turnover within two years of the time the CDBG assistance was provided? [24 CFR 570.506(b)(6)(ii)]
Describe Basis for Conclusion:

b. Does the projected amount appear to be reasonable?	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Describe Basis for Conclusion: 		

J. REPORT VALIDATION

20.

Did your review of the records validate the information and number of jobs provided by the program participant in the Integrated Disbursements and Information System (IDIS) and/or the most recently completed (or applicable) Consolidated Annual Performance and Evaluation Reports? [24 CFR 91.520(c) and 91.525(a)(3)]	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Describe Basis for Conclusion: 		